

Request for Review

CC Docket No. 02-6

This is a request to Appeal USAC's response to our Letter of Appeal

Applicant Information

Applicant Name: SW COOK CO COOP ASSN SPEC ED
Entity Number: 135604
Funding Year: 2011-2012

Contact Information

Contact Person: Joe Cunningham
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**This is a letter of appeal requesting review of a decision made by USAC for
SW COOK CO COOP ASSN SPEC ED**

Appeal Request: Administrator's Decision on Appeal – Funding Year 2011-2012

Form 471 Application Number: 804197

Form 486 Application Number: 926001, 926041, 926035, 926051

Funding Request Number(s): 2180182, 2180206, 2180235, 2180336

Reason for Denial:

Upon review of the appeal letter, the relevant facts, and supporting documentation, USAC determined the Form 486 for this funding request should have been filed within 120-days calculated from the issuance date of the Funding Commitment Decision Letter (FCDL) or the Service Start Date (SSD) as indicated on the Form 486, whichever is later.

The record shows that the date of the FCDL is August 23, 2011 and that the SSD indicated on the FCC Form 486 was July 1, 2011. On December 28, 2011, USAC mailed an Urgent Reminder letter to you to submit and/or certify the FCC Form 486. The FCC Form 486 applications 926041, 926035, 926051, 926001 were postmarked and certified on October 1, 2012, which is after the new deadline.

Consequently, the SSD was revised to June 3, 2012, 120 days before the FCC 486 postmark date. It is the responsibility of the applicant to ensure that all forms are submitted to USAC in a correct and timely

manner. Since you have not provided sufficient evidence on appeal demonstrating that USAC erred in its decision, your appeal is denied.

Rational for Request:

The purpose of this letter Southwest Cook County Cooperative for Special Education (SWCCCASE) request an appeal by the FCC regarding USAC Administrator's decision on appeal for Funding year 2011-2012 regarding FRN(s): 2180182, 2180206, 2180235, and 2180336.

In USAC's decision on appeal they state that the record shows a Urgent Reminder letter was mailed on December 28, 2011. The letter was never received by me or anyone else at SWCCCASE that I know of. Had this letter been received I most certainly would have filed the Form 486's within the proper timeline.

If USAC's procedures for missing the Form 486 deadlines were to be strictly applied, the result of this simple error would be a near total loss of committed funding for the affected Funding Requests and it would be our students who would bear the consequences of this error. To the best of my knowledge, our E-rate funding application is otherwise in full compliance with all FCC rules and USAC requirements.

This request is made on behalf of the Billed Entity for an appeal to be granted. By granting the Appeal, USAC could be directed to reinstate the original Service Start Date for SW COOK CO COOP ASSN SPEC ED for Funding year 2011. This special education cooperative relies heavily on funding from USAC to make available internet access to our student body.

Your favorable consideration in this matter is greatly appreciated.

Thank you,

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